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Richard Wilson: 'Privacy' for Federal Workers

A few people, having in mind some of the well publicized activities of the Nixon administration, gasped or gagged when President Nixon endorsed the principle of Sen. Sam Ervin's legislation guaranteeing rights of privacy for federal employees.

This bill of Ervin's and Sen. Roman Hruska of Nebraska has passed the Senate but faces, as it has before, an uncertain fate in the House. If it were to be adopted and signed it would be a privacy charter for millions of federal employees and members of their families, and set a national pattern affecting many more millions of private and public employees.

HARDLY ANYONE except the experts ever examines carefully legislation of this kind, particularly when it responds to a national mood as does the privacy bill. People are pretty sick of computer age personal histories, psychological tests, sexual interrogations, and bullying about race, religion, charitable contributions, bond buying and civic activities as a condition of employment.

Sen. Ervin's subcommittee staff has done a good job of uncovering some of the entrenched practices which are truly horrendous in some cases and merely demand conformity to conventional standards in others. Incidentally, the FBI is exempted altogether from the act, and the big government spy agencies can still "screen" their sensitive employees without much hindrance.

Beyond matters strictly private, however, there are phases of this legislation which amount to a kind of declaration of independence for your good and faithful public servant which will make him harder to manage than he already is. Sec. 1 (G), for example.

Ostensibly, this section makes it unlawful to require or request a federal employee to support, in any way, the nomination or election of anyone to public office. The legislative explanation goes farther. The purpose of the section, it is stated, is "to assure that the employee is free from any job related pressure to conform his thoughts and attitudes and actions in political matters

unrelated to his job to those of his superiors."

That is probably broad enough to get to the point of what has bothered so many presidents of the United States. They come into office with programs and ideas and concepts which they cannot get an entrenched bureaucracy to carry out. This bothered John F. Kennedy and Richard M. Nixon, even more.

NIXON INHERITED a bureaucracy heavily loaded with long-term Democratic employees with ideas different from his, and it led to endless trouble in the Justice Department, the Internal Revenue Service, Health, Education and Welfare, Defense and other agencies.

A very fine line is to be drawn between political principle and administrative action in carrying out policies, and also between what is "job related" and what is not. An administrator ordered to carry out a Nixon policy he does not like can squeal: "You're trying to make me conform to political doctrine and that's illegal."

Another provision is de-

signed to protect any employee from compulsion to attend meetings, discussions and lectures on political, social and economic subjects "unrelated to his duties." No more meetings telling why racial integration is imperative as a social good.

The legislative explanation is that government bosses are to be prevented from attempts to influence employee thoughts, attitudes and actions on subjects which may be of concern to them as private citizens.

So there is a lot more to the bill than an employee not being forced to take a lie detector test or answer such questions as, "Have you ever had sexual relations with an animal?"

As of last count, there were about 13.6 million federal, state and local employees in this country who would probably be affected in some way sooner or later by this new charter of independence.

And if bureaucracies work the way they usually work, those who conform will get ahead and the few who do not will get some publicity in hearings before a new "Board on Employees Rights."